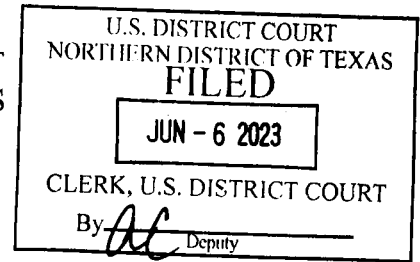


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



LITTLE JOE ENRIQUEZ,
Randall County No. 74025

Plaintiff,

v.

2:23-CV-049-Z-BR

UNITED STATES OF AMERICA, *et al.*,

Defendants.

**ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
AND
DISMISSING CIVIL RIGHTS CLAIM**

Before the Court are the findings, conclusions, and recommendation of the United States Magistrate Judge to dismiss the civil rights claim filed by Plaintiff. (ECF No. 5). No objections to the findings, conclusions, and recommendation have been filed. After making an independent review of the pleadings, files, and records in this case, the Court concludes that the findings, conclusions, and recommendation of the Magistrate Judge are correct. It is therefore **ORDERED** that the findings, conclusions, and recommendation of the Magistrate Judge are **ADOPTED** and the case is **DISMISSED WITHOUT PREJUDICE**.

The Court notes Plaintiff's self-styled Motion for Summary Judgment, filed on May 23, 2023, and dated April 27, 2023. ECF No. 6. The Court construes the filing as an attempt to amend the complaint. Such amendment is improper under the Federal Rules because — due to the uncured deficiencies — no service has occurred. *See* ECF No. 4; *see also* Fed. R. Civ. P. 15(a)(1) (predicating amendment on service). Accordingly, Plaintiff's self-styled Motion for Summary Judgment is of no effect. It is therefore **DENIED**.

IT IS SO ORDERED.

June 6, 2023

A handwritten signature in black ink, appearing to read 'M. J. Kacsmarik', written over a horizontal line.

MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE